

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GUY F. MILITELLO,

Plaintiff

v.

**ALLSTATE PROPERTY AND
CASUALTY INSURANCE CO.,**

Defendant

Civil No. 1:14-cv-0240

Judge Sylvia H. Rambo

MEMORANDUM

Before the court is Defendant Allstate Property and Casualty Insurance Company's motion for sanctions (Doc. 43) and motion *in limine* (Doc. 48). The motion for sanctions is premised on the allegation that counsel for Plaintiff, in his motion for leave to file a second amended complaint (Doc. 19), deliberately and intentionally misrepresented counsel for Allstate's correspondence during settlement negotiations (*See* Doc. 43). The motion *in limine* seeks to preclude Plaintiff from calling defense counsel as a witness at trial on the bad faith claim. (*See* Doc. 48.) On November 18, 2015, this court issued a memorandum (Doc. 55) and order (Doc. 56) granting partial summary judgment in favor of Allstate and dismissing the bad faith claim. Since the bad faith claim is no longer an issue in this case, the motion *in limine* is deemed moot. However, the court will defer ruling on the motion for sanctions until conclusion of trial.

It is this court's expectation that this litigation will proceed with the utmost adherence to professionalism.

An appropriate order will issue.

s/Sylvia H. Rambo
United States District Judge

Dated: November 18, 2015.